

### **REMARKS**

Applicants amend claims 1, 7, 14, 19, 21, 26, 33, 44 and 47 without prejudice or disclaimer. Claims 1-16, 19-26, 33-38 and 41-51 (41 total claims; 7 independent claims) remain pending in the application. Reconsideration of the application is respectfully requested in view of the above amendments and the following remarks.

Claims 19-21 are rejected under 35 U.S.C. § 112, second paragraph as failing to have insufficient antecedent basis. Applicants have amended claims 19-21 to depend upon claim 14 instead of claim 18, which has been cancelled. Applicants request that this rejection be withdrawn.

### **Art-Based Rejections**

#### **Claims 1-6, 7-13, 44-46 and 47-51**

Claims 1-13 and 44-51 are rejected under 35 U.S.C. § 102(c) as being anticipated by United States Patent No. 6,999,783 to Toyryla et al. Applicants have amended independent claims 1, 7, 44 and 47 to clarify the claimed invention and obviate the rejection. In particular, independent claims 1, 7, 44 and 47 to state that the method for dynamic group call from a first user to a group of second users includes the steps of forwarding the group to the network for validation, receiving a group identification for the group and establishing a group call between the first user and the group after receiving the group identification. The present invention, as is evident by these independent claims, is directed to the formation of a group of at least a predetermined size by a first user and then forwarding the group to the network for validation and to receive a group identifier. In other words, the claims are directed to an invention where the group, which is created by a user, receives a group identifier from the network and in an embodiment from the dispatch service complex and the server found on the complex. After receiving the group identifier from the network, the first user can establish a group call with the group using that group identification.

Toyryla is described in the Response to Office Action filed December 1, 2006, which is incorporated here. In sum and using the terms of the Applicants' claims, Toyryla is directed to a first user creating a group without any validation or receiving a group identifier from the network. In Toyryla, group creating and member management are handled at the user level without interacting with the network. The network is involved only when group

communications are established and involved member transmission, validation of the originator and the user that are being requested to join the group. See Toyryla Fig. 3. These steps are needed to occur in each origination.

On the other hand, Applicants' claims are directed to pre-validation of users before a group call is established. This is claimed in claims 1, 7, 44 and 47 by the steps sending the group to the network for validation, receiving a group identification and then establishing the group call after receiving the identification. This not disclosed by Toyryla. In fact, Toyryla teaches away from this claimed method. Toyryla states "Contrary to the prior art solutions, the present invention does not approach the dynamic group creation from the system point of view but rather from the perspective of the user." Toyryla column 4, lines 4-7. Thus, Toyryla does not involve the network, while the present invention uses both the first user and the network to create and validate the group, receive a group identification and later establish a group call using that identification.

In view of the foregoing, it is respectfully submitted that Toyryla does not disclose the steps of the present invention. Applicants therefore respectfully submit that Toyryla does not anticipate claims 1, 7, 44 and 47. As claims 2-6, 8-13, 45-46 and 48-51 depend upon and include the limitations of claims 1, 7, 44 and 47 respectively, Applicants respectfully submit that Toyryla does not anticipate the dependent claims for the same reason. Applicants request that the rejection under Section 102(e) be withdrawn.

#### **Claims 14-16 and 23-25**

Claims 14-16 and 23-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Toyryla and further in view of United States Patent No. 5,513,381 to Sasuta. Applicants have amended independent claim 14 to clarify the claimed invention and to obviate the rejection. In particular, Applicants have amended claim 14 to delete the reference to slots and claim an identifier that is one of a plurality of identifiers maintained by the network. In addition, the claims are amended to clarify that the dynamic group call identifier for the list sent by the first user is selected from one of the available plurality of identifiers and if no identifier is available from among the plurality of identifier one of a previously used dynamic group call identifiers from the plurality of group call identifiers is used for the list. Applicants respectfully submit that Toyryla does not disclose the claimed validating step. As discussed above, Toyryla

does not involve the network in validating the identifier or the list and does not store the list. Applicants' arguments regarding the Toyryla not anticipating claims 1, 7, 44 and 47 are applicable and are incorporated here.

In addition, Applicants respectfully submits that neither Toyryla nor Sasuta discloses, teaches nor otherwise suggests determining the claimed identifier from a database of a plurality of identifiers, creating a unique group ID from one of the plurality of identifiers if one is available, and selecting a previously used dynamic group call identifier if a identifier is not available from among the plurality of identifiers. Sasuta does not disclose, teach or otherwise suggest identifiers as claimed and does not reassign identifiers. It appears that the "resources" as used in Sasuta is equated to the previously claimed slots, which are now claimed as identifiers. Applicants respectfully submit that the claimed identifiers are not equivalent to resources. Sasuta's resources refer to network resources being allocated in the system. These network resources are used in the establishment and maintain of network connection of calls. The claimed identifiers and dynamic group call identifiers are not resources in the same way as referred to by Sasuta. The claimed identifier refer to an identification given to a group of users for use by the networks.

In view of the foregoing, it is respectfully submitted that the combination of Toyryla and Sasuta does not disclose, teach or otherwise suggest the claimed elements of the network validating a dynamic group call list, the network determining the dynamic group call identifier, and the network using a previously used dynamic group call identifier when an identifier is not available from among the plurality of identifiers. Applicants therefore respectfully submit that independent claim 14 is patentable over the cited combination. As claims 15-16 and 23-25 depend upon and include the limitations of claim 14, Applicants respectfully submit that these dependent claims are patentable for same reasons given above. Applicants request that this rejection under Section 103(a) be withdrawn.

**Claims 21-22**

Claims 21-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Toyryla and Sasuta and further in view of United States Patent Application Publication No. 2004/0198376 to Chandhok et al. Applicants respectfully submit Chandhok also does not disclose the limitations that Toyryla and Sasuta do not disclose. For this reason and as claims 21-22 depend upon claim 14, Applicants respectfully submit that these dependent claims are patentable over the cited combination for the reasons given above. Applicants request that this rejection under Section 103(a) be withdrawn.

**Claim 26**

Claims 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Toyryla in view of Chandhok et al. Applicants have amended claim 26 to clarify the claimed invention and to obviate the rejection. In particular, Applicants have amended claim 26 to define the time to live parameter as a time for which the unique dynamic group identification is valid. In addition, Applicants incorporate the arguments made in the December 1, 2006 Response and the arguments made above with respect to Toyryla.

Applicant respectfully submits that the time to live limitation and its claimed definition are not disclosed by Toyryla. The Office Action refers to column 9, line 63 to column 10, line 29 to refer as disclosing a time to live parameter. These paragraphs of Toyryla refer to control, user and management plans and a PoC core network and how functions in that network operate. These sections do not disclose the time to live parameter or a time that a unique identifier is valid. Applicants request more specific citations to Toyryla if this rejection is to be maintained.

In view of the foregoing, Applicants respectfully submit that the combination of Toyryla and Chandhok does not disclose, teach or otherwise suggest all the claim limitations of claim 26. It is therefore respectfully submitted that claim 26 is patentable over the cited combination. Applicants request that this rejection under Section 103(a) be withdrawn.

**Claims 33-38 and 41-43**

Claims 33-38 and 41-43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toyryla and Sasuta and further in view of Chandhok. Applicants have amended claim 33 to clarify the claimed invention and obviate the rejection. In particular, Applicants have

amended claim 35 to further state that the dynamic group call identity is provided by the network and identifies the dynamic group call list and to define the time to live parameter. Applicants refer to arguments made above with respect to how Toyryla as well as Sasuta and Chandhok do not disclose, teach or otherwise suggest that the network provides a dynamic group call identity and that the identity identifies the dynamic group call list created by the first user. In addition, Applicants refer to the arguments made above how the cited references do not define disclose, teach or otherwise suggest the time to live parameter or its definition of a time for with the unique dynamic group call identity is valid. In view of these arguments, Applicants respectfully submit claim 33 is patentable over the cited combination of Toyryla, Sasuta and Chandhok. As claims 34-38 and 41-43 depend upon and include the limitations of independent claim 33, Applicants respectfully submit that these dependent claims are patentable over the cited references. Applicants request that this rejection under Section 103(a) be withdrawn.

### **Conclusion**

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to **50-2117**.

Respectfully submitted,  
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